REMARKS

Applicants thank the Examiner for the consideration given the present application and the courtesy extended Applicants' representative at the interview of September 11, 2007.

Claims 7-16 are pending in this application, claims 1-6 having been previously cancelled. Reconsideration of the rejections in the outstanding Office Action is respectfully requested of the following remarks, which are responsive to the Office Action of May 2, 2007, and the Interview Summary transmitted by facsimile on September 13, 2007.

Claim Rejections under 35 USC § 102

Reconsideration is requested of the rejection of claims 7-11 and 13-16 under 35 U.S.C. §102(b) as being anticipated by Gross (U.S. 6,721,716).

The present invention is a method and system for managing transactions among a buyer (1), financial institutions (13, 15 and 17) and suppliers (5). The buyer (1) can collectively manage information related to different types of commercial transactions. A calendar server (25) supplies a calendar screen to a buyer system (3). This calendar GUI screen has electronic invoices issued by a supplier system (7) that are sent to the buyer (1), and electronic deposit/withdrawal detailed statement of the buyer's deposit account issued by a banking system (13) placed in the spaces for the relevant dates of the calendar GUI screen. When the buyer (1) selects and approves any invoice on the calendar GUI screen, an instruction to pay the invoice is automatically sent to the banking system (13). The calendar server (25) further manages the status of each invoice ("opened", "payment request in progress", "paid"), and notifies the supplier system (7) and banking system (13) of the invoice status. The calendar server (25) also receives news, such as advertisements, from

the supplier system (7) and banking system (13), selects news based on the buyer's consumption trends, and places news in the spaces on the calendar GUI screen which pertain to dates that slightly precede dates on which buyer consumption has occurred.

Gross describes a bill presentment and payment system that includes a customer (102) having a client software program and client database, and a biller (108) having biller server software (126) and a server database connected over an electronic information network. The customer (102) may authorize a customer financial institution (104) to electronically transfer funds from a funding account (106) directly to another account in order to provide payment to the owner of that other account. A customer (102) enrolls with a biller by communicating a request between the client and server programs including information about a funding account. The biller (108) confirms customer account information and verifies the funding account and updates the status of the enrollment request to the customer. Electronic bill summary and/or detail information is communicated to or polled from the biller server and consolidated at the customer client software. The customer (102) may then retrieve bill summary and/or detail information and/or communicate payment instructions authorizing an electronic transfer from the funding account to the biller (108). In addition, a payment certification string including funding account information is generated and transmitted to a validation server which confirms the payment instructions.

At column 17, lines 21-31, Gross states:

> 2. The payee biller 108 signs up with a payment processing service to receive payments and provides payment account information at biller financial institution 110 to the service provider. The payer customer 102 then connects to the payment processing service to submit payments by selecting biller 108 as the recipient of the payments and by providing funding account information 146 and customer account information. This approach eliminates

the need for customer 102 and biller 108 to exchange payment account information directly.

From the foregoing passage, it can be determined that a server system acts as middleman for payment of bills by the buyer. However, the manner of notification of the existence of an invoice by a supplier to the buyer in Gross appears to differ from that of the present invention. At column 18, lines 21-67, Gross indicates:

> Once a biller 108 has new content available for enrolled customer 102, they may wish to send an email notification to customer 102. This can also be accomplished by a plug-in or option to the application which imports new statement summary information into server database 128. Alternatively, a separate application processes the statement summary file and sends emails to customer 102. A third option would be to have an application which calls the API to access new statement summary data in server database 128 and sends emails to each customer 102 in the list...*In order to retrieve new content, customer client software 120 needs to be aware that new content exists*; there are several methods in which customer client software 120 may retrieve new content...*Customer client software 120 can query biller server software 126* to request new statements. The determination of which service providers to poll will typically be defined in client database 122. This information may be in the form of a next statement date returned with the previous statement, a biller 108 or customer 102 defined statement cycle date or billing period, and the like. Customer client software 120 can automatically determine which biller 108 to poll for new content when the user logs in, in a manner similar to the polling for pending enrollment requests. In addition, *customer client software 120 may receive explicit requests to poll for new content issued from customer 102. ... Another approach for notifying customer client software 120 of new content is for biller 108 to send an email notification* (emphasis added).

Therefore, there appears to be two methods in Gross by which a buyer may be notified of a bill: The buyer may poll the seller, or the seller may e-mail the buyer. In either case, this differs from independent claims 7 and 13 where, as exemplified by step (C) in

claim 7, "*the server automatically creates a collection request telegraphic message for payment* of the registered electronic invoice on the basis of said unique identification code on the registered electronic invoice, *when approval is made by said buyer, and transmits the collection request telegraphic message to said finance system*". Nor does Gross mention the use of a "unique identification code on the registered electronic invoice" to track the payment from buyer to seller and their financial institutions.

Applicants cannot agree with the assertion in the Office Action that "it is easy to conduct the present invention based on the use of a unique identification code on the registered electronic invoice to track the payment from buyer to seller and their financial institutions."

It is an object of the presently claimed invention to enable the server to specify the unique identification code of an invoice, the amount of which has been deposited into a supplier's account. Upon approval of the buyer, the server automatically creates a collection request telegraphic message for payment of the invoice on the basis of a unique identification code and transmits the collection request telegraphic message to a finance system. As a result, when receiving a collection completion notification from the finance system, the server can specify, on the basis of the collection completion notification, the unique identification code of the electronic invoice, the amount of which has been deposited into the supplier's account. This forms the basis for the collection request telegraphic message. In addition, the server can update the invoice status of the electronic invoice having the updated status to the invoice status signifying that the invoice amount has been deposited into the supplier's account and can transmit the updated invoice status to the supplier system.

It may be possible to conduct how to make the server be able to specify an invoice which is designated an invoice for payment from a buyer based on the above-mentioned use of invoice ID. This is because the server manages the electronic invoices and receives a designation of an invoice from among the electronic invoices for payment from the buyer.

However, it is impossible to conduct how to make the server be able to specify the unique identification code of the invoice, the amount of which has been deposited into the supplier's account, based on the above-noted use of invoice ID, without the features of the presently claimed invention. This is because the actor that deposits the invoice amount into the supplier's account is not the server, but another system—specifically, the finance system.

Accordingly, it is respectfully submitted there is no basis to maintain that it is easy to conduct the present invention based on the use of a unique identification code on the registered electronic invoice to track the payment from buyer to seller and their financial institutions. The presently claimed invention is not designed to specify the invoice using the unique identification code, but to specify the unique identification code of the invoice, the amount of which has been deposited into the supplier's account for reconciling an invoice.

It should also be noted that reconciling an invoice should be performed when it is specified that the invoice amount has been deposited into the supplier's account and should not be performed just because a buyer issues a payment instruction. Basically, in the present application, "The invoice amount has been paid," is a sentence for the supplier and means that the invoice amount has been deposited into the supplier's account. On the other hand, in the cited references, "The invoice amount has been paid," means that the

buyer has issued payment instructions. These sentences embody completely opposite meanings.

To sustain a rejection under 35 U.S.C. §102, a reference must disclose each and every feature of a rejected claim. As detailed above, Gross does not disclose each and every feature of rejected independent claims 7 and 13. Therefore, Gross does not anticipate these claims, which are allowable. Claims 8-11 and 14-16 are allowable due to their dependence on allowable independent claims 7 and 13, as well as for the additional limitations provided by these claims. Accordingly, reconsideration and withdrawal are respectfully requested of the rejection of claims 7-11 and 13-16 under 35 U.S.C. §102(b) as being anticipated by Gross.

Rejection under 35 U.S.C. §103

Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Dent et al. (US 6,128,603).

Dent does not remedy the shortcomings of Gross as a primary reference, taken alone or in combination. Dent merely describes a system and method for managing and paying electronic billing statements. As shown in FIG. 6, a calendar user interface window (90) is generated by a cashflow analyzer (54). The calendar user interface window (90) can be partially overlaid on an unpaid bill list window (80). The calendar user interface window (90) shows a date line (92) having a series of dates in a bill payment cycle arranged in a linear bar chart. Each date has a zone (94) into which bill icons are moved to proposed payment schedules.

In view of the foregoing, reconsideration and withdrawal are requested of the rejection of claim 12 under 35 U.S.C. §103(a) as being unpatentable over Gross in view of Dent.

Provisional Double-Patenting Rejection

Reconsideration is requested of the provisional rejection of claims 7-16 on the ground of non-statutory obviousness-type double-patenting as being unpatentable over claims 1-8 and 10-13 of copending Application Serial No. 10/694,269.

As discussed at the interview, Applicants have carefully reviewed the independent claims of copending Application Serial No. 10/694,269 and see no basis for the double-patenting rejection. The independent claims of the copending '269 application are more closely directed to the GUI employed in the present invention and thus differ from the independent claims of the present application. At the interview, the Examiner stated she generally agreed with Applicants' position, but said she would have to consider the issue further. Following such consideration by the Examiner, withdrawal of the rejection is respectfully requested.
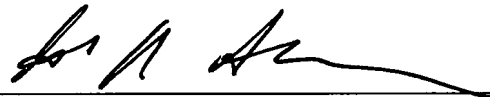
Conclusion

In view of the foregoing, it is respectfully submitted that the present application is in condition for allowance, and passage to issue is respectfully requested.

To the extent necessary during prosecution, Applicants hereby request any required extension of time not otherwise requested and hereby authorize the Commissioner to charge any required fee not otherwise provided for, including application processing, extra claims, and extension fees, to Deposit Account 01-2340.

Respectfully submitted,

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